

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE VITAMIN C ANTITRUST
LITIGATION

MASTER FILE 06-MD-1738 (BMC) (JO)

This Document Relates To All Indirect
Purchaser Actions:

*Audette v. Hebei Welcome
Pharmaceutical Co. Ltd., et al.*
Case No. 06-988

*Philion, et al. v. Hebei Welcome
Pharmaceutical Co. Ltd., et al.*
Case No. 06-987

*Keane, et al. v. Hebei Welcome
Pharmaceutical Co. Ltd., et al.*
Case No. 06-149

**INDIRECT PURCHASER PLAINTIFFS' NOTICE OF MOTION FOR
PRELIMINARY APPROVAL OF SETTLEMENT WITH DEFENDANT NORTHEAST
PHARMACEUTICAL GROUP CO., LTD.**

PLEASE TAKE NOTICE THAT, upon the Declaration of Timothy D. Battin in Support of Plaintiffs' Motion for Preliminary Approval of Settlement with Defendant Northeast Pharmaceutical Group Co., Ltd ("NEPG"), and the Memorandum of Law in Support of Indirect Purchaser Plaintiffs' Motion for Preliminary Approval of Settlement with Defendant Northeast Pharmaceutical Group Co., Ltd ("NEPG"), dated March 29, 2013, and all other papers and proceedings herein, Plaintiffs will move this Court on a date and time to be set by the Court, before the Honorable Brian M. Cogan, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, pursuant to Rule 23 of the Federal Rules of Civil Procedure, to enter an order to:

1. Preliminarily approve the Settlement Agreement and find that its terms are sufficiently fair, reasonable, and adequate for notice to be issued to the Settlement Class;

2. Certify the Settlement Class, for purposes of settlement only pursuant to Federal Rule of Civil Procedure 23(c), and authorize Indirect Purchaser Plaintiffs to represent the Settlement Class;
3. Order Class Counsel to disseminate notice to the Classes, upon submission of proposed notices and approval by the Court of the form of notice and the notice plan; and
4. Approve Rust Consulting as Administrator of the Settlements, and Citibank as Escrow Agent.

Oral argument on this motion, if any, will be held on a date and time set by the Court.

Dated: March 28, 2013

Respectfully submitted,

/s/ Daniel E. Gustafson

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Class*